

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 8, 2002
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

Table of Contents

CHRONOLOGY OF THE MEETING	4
ATTENDANCE DURING THE MEETING	4
ITEM-300: ROLL CALL	4
ITEM-10: INVOCATION	5
ITEM-20: PLEDGE OF ALLEGIANCE	5
ITEM-30: Approval of Council Minutes	5
ITEM-31: Rhonda Henton Day	6
NON-AGENDA COMMENT	7
COUNCIL COMMENT	8
CITY ATTORNEY COMMENT	8
CITY MANAGER COMMENT	8
ITEM-50: Proposed Changes to the Permanent Rules of Council (San Diego Municipal Code Section 22.0101) re Scheduling Evening Meetings and Adding Tuesday Consent Items	9
* ITEM-51: Modification of the Retirement Program for Former Legislative Officers.	9
* ITEM-52: Fenton-Carroll Canyon Technology Center Rezoning.	10
* ITEM-53: Santa Monica at Black Mountain Ranch Rezoning	11

* ITEM-54:	Surety Substitution - Convention Center Expansion Lease Revenue Bonds, Series 1998A	11
* ITEM-100:	Inviting Bids for Pump Station 1 and 2 Fiber Optic Installation	12
* ITEM-101:	<u>Two</u> actions related to Inviting Bids for North Encanto Water Improvements ..	14
* ITEM-102:	<u>Two</u> actions related to Inviting Bids for the Construction of Sewer Main Replacement Group Job 634B	16
ITEM-103:	Approving Parcel Map TM-99-1076	18
* ITEM-104:	Opportunity Acquisition - Sutherland Reservoir Watershed	19
* ITEM-105:	General Utility Easement Abandonment	21
* ITEM-106:	Drainage Easement Abandonment	22
* ITEM-107:	Sale of City Property - NEC Scripps Poway Parkway/Freeway 15	23
ITEM-108:	Scripps Gateway Park Site Acquisition	24
* ITEM-109:	San Ysidro Fire Station No. 29 Relocation	26
* ITEM-110:	Transfer of Community Development Block Grant Funds	27
* ITEM-111:	South San Diego Pipeline No. 2 - Reach A and B - Supplemental Funding	29
* ITEM-112:	Carson Elementary School - Funding of General Development Plan for Joint Use Improvements	30
* ITEM-113:	Establish Two (2) Hour Unmetered Parking Zone on Columbia Street between Date Street and Fir Street	31
* ITEM-114:	Approval of Banner Placement by the University City Community Association	33
* ITEM-115:	One-Year Extension of the Centre City Project Area Committee (PAC)	34

* ITEM-116:	Appointment to the Agricultural Board	34
ITEM-117:	Appointments to the Balboa Park Committee	35
* ITEM-118:	Hazardous Materials Emergency Response Agreement	36
* ITEM-119:	<u>Two</u> actions related to Agreement with Little Italy Association for Administration of Maintenance Services for Little Italy Maintenance Assessment District	37
* ITEM-120	<u>Two</u> actions related to North City Reclamation System, Western Pacific Housing Reclaimed Water Pipelines Participation Agreement	39
* ITEM-121:	Lease Amendment - U.S. Department of Justice (INS) at San Ysidro	41
* ITEM-122:	Declaring a Continued Local Health Emergency Due to the Spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV)	42
* ITEM-123:	Declaring a Continued State of Emergency Due to Economic Circumstances in the San Diego-Tijuana Border Region	43
ITEM-124:	Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico	44
ITEM-200:	San Diego River Restoration Project Clean Beaches Initiative Grant	44
ITEM-201:	Clean Beaches Initiative Grant for Rose & Tecolote Creeks Water Quality Improvements	46
ITEM-202:	Findings for Construction of Certain Improvements at Market Street/Fifth Avenue Intersection	48
ITEM-203:	Feasibility Study for the Bay to Bay Link - Consultant Agreement	49
* ITEM-S500:	Revised Assignment for Budget Workgroup	53
NON-DOCKET ITEMS	53
ADJOURNMENT	53

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:12 a.m. The meeting was recessed by Mayor Murphy at 12:11 p.m. to convene the Redevelopment Agency. Mayor Murphy reconvened the meeting at 12:15 p.m. with Council Members Wear, Maienschein, and Inzunza not present. Mayor Murphy adjourned the meeting at 12:17 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

Clerk-Fishkin (er)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

ITEM-10: INVOCATION

Invocation was given by Father Russell E. J. Martin of
St. Dunstons' Episcopal Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Peters.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

- 11-05-2001
- 11-06-2001
- 11-12-2001 Adjourned
- 11-13-2001
- 11-13-2001 Workshop
- 11-19-2001
- 11-20-2001
- 11-20-2001 Special Joint Meeting
- 11-26-2001

11-27-2001
12-03-2001
12-04-2001

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A023-026.)

MOTION BY WEAR TO APPROVE. Second by Peters. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,
Inzunza-yea, Mayor Murphy-yea.

ITEM-31: Rhonda Henton Day.

COUNCILMEMBER PETERS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-823) CONTINUED TO MONDAY, JANUARY 28, 2002

Commending Rhonda Henton for her courageous and selfless volunteer efforts
following the attacks of September 11, 2001;

Proclaiming January 28, 2002 to be "Rhonda Henton Day" in the City of San
Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A028-033.)

MOTION BY PETERS TO CONTINUE TO MONDAY, JANUARY 28, 2002 TO
ALLOW MS. HENTON TO BE PRESENT. Second by Atkins. Passed by the following
vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea,
Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Don Stillwell commented regarding the rush to change city laws to restrict Non-Agenda Comment during Council Meetings and urged the City to investigate other methods for financing city projects other than bonds.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-071.)

PUBLIC COMMENT-2:

Mel Shapiro commented that Non-Agenda Comment during committee meetings should follow the same order as it is during Council meetings. It should be heard at the beginning of the meeting. One committee hears Non-Agenda Comment last. Mr. Shapiro requested that they be instructed to allow Non-Agenda Comment first.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A072-090.)

PUBLIC COMMENT-3:

Ken Loch commented regarding the athletic renaissance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A091-129.)

COUNCIL COMMENT:

COUNCIL COMMENT-1: **Referred to the City Manager**

Council Member Atkins commented regarding the withdrawal by the Governor of appropriations for projects in local jurisdictions in which the funds that have not been expended are pulled down from the State Treasury because the City didn't need the money right at that time. In light of that action and the current State budget deficit, Ms. Atkins requested that the City begin the process of looking at what projects still have money being held at the state for CIP projects, park projects, etc., and figure out a way to access those funds so that the City doesn't lose them.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A132-156.)

CITY ATTORNEY COMMENT:

City Attorney Gwinn updated Council on two cases regarding lawsuits that have had significant rulings; the first is Mercury Books v. the City of San Diego. On December 26th the judge denied the plaintiffs' motion for preliminary injunction. The second is a lawsuit from the opponents of the San Diego Naval Training Center Development Project who claim that the City is violating the 30 foot height limit from Proposition D. The judge ruled that there was no merit to any of the arguments by the opponents of the San Diego Naval Training Center Redevelopment Projects and that case is now over.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A157-189.)

CITY MANAGER COMMENT:

NONE.

ITEM-50: Proposed Changes to the Permanent Rules of Council (San Diego Municipal Code Section 22.0101) re Scheduling Evening Meetings and Adding Tuesday Consent Items.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 12/10/2001.
(Council voted 9-0):

(O-2002-70 Rev. 12/10/2001) ADOPTED AS ORDINANCE O-19021
(New Series)

Amending Chapter 2, Article 2, Division 1, of the San Diego Municipal Code by amending Section 22.0101, relating to the Permanent Rules of the Council, to schedule evening meetings at least four times a year instead of once quarterly and to add consent items on Tuesday.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A296-390.)

MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-51: Modification of the Retirement Program for Former Legislative Officers.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/10/2001 (Council voted 9-0):

(O-2002-62) ADOPTED AS ORDINANCE O-19022 (New Series)

Amending Chapter 2, Article 4, Division 1, by amending Section 24.0103; and by amending Chapter 2, Article 4, Division 12, by amending Section 24.1201; and by amending Chapter 2, Article 4, Division 17, Section 24.1706, all relating to Elected Officers Retirement Plan.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-52: Fenton-Carroll Canyon Technology Center Rezoning.

(RZ-98-1199. Mira Mesa Community Plan Area. District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/11/2001. (Council voted 7-2. Councilmembers Peters and Frye voted nay.):

(O-2002-67) ADOPTED AS ORDINANCE O-19023 (New Series)

Rezoning a 130.9-acre site located east of I-805, south of Mira Mesa Boulevard, and north of Miramar Road, in the Mira Mesa Community Plan area, from the AR-1-1 (Agricultural) zone (previously referred to as A-1-5) to the IL-2-1 (Industrial) and OR-2-1 (Open Space) zones (previously referred to as M-1B and OS-OSP, respectively.)

FILE LOCATION: PERM-98-1199 (65)

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Peters. Passed by the following vote: Peters-nay, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-53: Santa Monica at Black Mountain Ranch Rezoning.

(RZ-40-0969. Black Mountain Ranch Subarea I Community Plan Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/11/2001. (Council voted 8-1. Councilmember Frye voted nay.):

(O-2002-30) ADOPTED AS ORDINANCE 0-19024 (New Series)

Rezoning 84.7 acres located in the southwestern portion of Black Mountain Ranch Subarea I from the AR-1-1 zone to the RS-1-12 zone.

FILE LOCATION: PERM-40-0969 (65)

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-54: Surety Substitution - Convention Center Expansion Lease Revenue Bonds, Series 1998A.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/3/2001 (Council voted 8-1. Councilmember Frye voted nay):

(O-2002-66 Cor. Copy) ADOPTED AS ORDINANCE 0-19025 (New Series)

Approving the form of and authorizing the execution and delivery of a Financial Guaranty Agreement relating to the Convention Center Expansion Financing Authority Lease Revenue Bonds, Series 1998A and actions in connection therewith.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: MEET (62)

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-100: Inviting Bids for Pump Station 1 and 2 Fiber Optic Installation.

(See Scott Tulloch's 11/6/2001 memo.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2002-748) ADOPTED AS RESOLUTION R-295898

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for Pump Station 1 and 2 Fiber Optic Installation on Work Order No. 195034;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$974,556 from Fund No. 41509, CIP-45-920.0, Wastewater Operations and Management Network (COMNET);

Authorizing the expenditure of an amount not to exceed \$24,255 from Fund No. 30244, CIP-68-011.0, Annual Allocation - Modernize Top 10-15 Traffic Signals (Job Order 681116) to provide funds for traffic signal interconnect improvements between 20th Street and B Street and between First Avenue and A Street, provided

that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury. (BID-K02106)

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 11/14/2001, NR&C voted 4-0 to approve the project. (Councilmembers Peters, Wear, Frye and Madaffer voted yea. Councilmember Inzunza not present.)

CITY MANAGER SUPPORTING INFORMATION:

This request is for the authorization to advertise and award a contract to the lowest responsible bidder, for the installation of a Fiber Optic Network between Pump Stations 1 and 2. The Fiber Optic Communication System is the major backbone of the Metropolitan Wastewater Department's (MWWD) Wastewater Operations and Management Network (COMNET). The purpose of COMNET is to integrate the monitoring and control of all the treatment, storage, metering, and pumping facilities in the MWWD sewerage system. When completed, the COMNET System will be able to monitor and control over 25,000 process points throughout the system via a fiber optic communication network. This fiber optic network enables the Operations and Maintenance (O&M) Staff to efficiently monitor and control plant processes. Because of the reliability of fiber optics, the monitoring and control of these plant processes can be performed by O&M from a Central Control and Information Center (COMC), which is located at the Metro Operations Center (MOCII) in Kearny Mesa. Ultimately, more than 200 site locations will be linked and monitored by COMNET. Included in the 200 sites are Pump Stations 1 and 2. Pump Stations 1 and 2 are the City of San Diego's two major wastewater pumping stations. Approximately 180MGD (million gallons per day) of sewage is processed through these two facilities on a daily basis. Furthermore, the implementation of this contract will complete the fiber optic system between the two pump stations. Previous portions of the fiber optic system were installed under past Pipeline/Fiber Optic Construction Projects and Cost Sharing Projects with the Transportation and Drainage Division. In addition, future connections to the Pump Stations 1 and 2 fiber optic system will include the fiber optic network for the MWWD facilities in the South Bay Area. As part of this construction contract, additional fiber capacity will be provided for the Transportation and Drainage Division to facilitate traffic signal interconnect between the City Traffic Control Center and the South Bay communities.

FISCAL IMPACT:

The estimated total cost of this action is \$998,811 of which, \$974,556 is to be funded from the COMNET CIP-45-920.0, \$150,000 in FY2002 and \$824,556 in FY2003; and \$24,255 is to be

funded in FY2003 from the Annual Allocation - Modernize Top 5-10 Traffic Signals CIP-68-011.0, Job Order 681116.

Mendes/Tulloch/ALR

FILE LOCATION: W.O. 195034

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-101: Two actions related to Inviting Bids for North Encanto Water Improvements.

(See Frank Belock, Jr.'s 5/24/2001 memo and Frequently Asked Questions About Group Jobs. Encanto Community Area. District-4.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-2002-832) ADOPTED AS RESOLUTION R-295899

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of North Encanto Water Improvements on Work Order No. 185191;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the use of City Forces on the project in an amount not to exceed \$238,528 from Water Fund 41500, Sub CIP-73-855.5, North Encanto Water Improvements;

Authorizing the expenditure of an amount not to exceed \$1,644,778 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for the expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02058C)

Subitem-B: (R-2002-833) ADOPTED AS RESOLUTION R-295900

Certifying that Mitigated Negative Declaration LDR-40-0883 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines; and that the declaration reflects the independent judgement of the City of San Diego as Lead Agency; and that the information contained in the report has been reviewed and considered by Council in connection with the approval of construction of North Encanto Water Improvements;

Approving Mitigated Negative Declaration LDR-40-0883;

Adopting the Mitigation Monitoring and Reporting Program;

Directing the City Clerk to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/30/2001, NR&C voted 3-0 to approve. (Councilmembers Peters, Madaffer and Inzunza voted yea. Councilmember Wear not present.)

CITY MANAGER SUPPORTING INFORMATION:

North Encanto Water Improvements is part of the program established by the City of San Diego mandating the replacement of all cast iron water mains currently in service. This project will also increase the diameter of some undersized mains in the area. The replacement of these existing deteriorated and undersized mains will continue to provide the community with a safe and reliable water infrastructure. This project is within the Encanto community area and involves the replacement and extension of 8,262 linear feet of water main.

The limits of the work affected by the construction operations are shown on the location map. Traffic control plans will be provided by the contractor as shop drawings. Residents will be notified by the contractor ten (10) days prior to start of construction.

FISCAL IMPACT:

The total estimated cost of this project is \$1,644,778. Funding is available in Water Fund 41500, Annual Allocation - Water Main Replacement, CIP-73-083.0, for this purpose. This project may be phase-funded.

Loveland/Belock/HR

WWF-01-532.

FILE LOCATION: SUBITEMS A & B: W.O. 185191

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

- * ITEM-102: Two actions related to Inviting Bids for the Construction of Sewer Main Replacement Group Job 634B.

(See Frank Belock, Jr.'s 5/24/2001 memo and Frequently Asked Questions About Group Jobs. Point Loma Community Area. (District-2.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-2002-496) ADOPTED AS RESOLUTION R-295901

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer Main Replacement Group Job 634B on Work Order No. 175121;

Authorizing the City Manager to establish contract funding phases and to execute a contract with the lowest responsible bidder, provided that the City Auditor furnishes one or more certificates certifying that funds necessary for expenditure will be on deposit with the City Treasurer;

Authorizing the expenditure of an amount not to exceed \$1,256,489 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement for providing funds for the project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02057C)

Subitem-B: (R-2002-831) ADOPTED AS RESOLUTION R-295902

Certifying that Negative Declaration LDR-40-0594 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, and that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and the information contained in the report has been reviewed and considered by Council;

Finding that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Mitigated Negative Declaration;

Adopting the Mitigation Monitoring and Reporting Program;

Directing the City Clerk to file a Notice of Determination (NOD) with the Clerk of the Board Supervisors for the County of San Diego.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/30/2001, NR&C voted 3-0 to approve. (Councilmembers Peters, Madaffer and Inzunza voted yea. Councilmember Wear not present.)

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group 634B is part of the City's ongoing concrete sewer main annual allocation replacement program. Replacement of these deteriorated and undersized mains will continue to provide the community with safe and reliable infrastructure. This project is within the Point Loma community area and involves the replacement of 9,595 feet of 8-inch, 10-inch, and 12-inch sewer main. Residents will be notified by mail at least one (1) month prior to construction by the City and ten (10) days prior to the construction by the contractor. Traffic plans have been prepared for this project and will be implemented during the construction operation.

FISCAL IMPACT:

The total estimated cost of this project is \$1,256,489 of which \$243,990 is for engineering services, \$927,499 is for construction, and \$85,000 is for contingencies. Funding is available in FY2001 and FY2002 in Sewer Fund 41506, CIP-44-001.1, Annual Allocation - Sewer Main Replacement, for this purpose. This project will be phase-funded.

Loveland/Belock/HR

WWF-01-507.

FILE LOCATION: SUBITEMS A & B: W.O. 175121

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-103: Approving Parcel Map TM-99-1076.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-807 Cor. Copy) CONTINUED TO MONDAY, FEBRUARY 25,
2002

Approving Parcel Map TM-99-1076; authorizing the City Clerk to sign the map
on behalf of the City as property owner.

CITY MANAGER SUPPORTING INFORMATION:

This parcel map is a six-parcel lot line adjustment map of a 191.536 acre portion of the Liberty Station (Naval Training Center) site. This action is consistent with the previously approved Liberty Station project. The purpose of the map is to divide the land in such a way as to make subsequent mapping more expeditious. The site is located southeasterly of Rosecrans Street and Lytton Street in the Peninsula Community Plan area. This land will be re-subdivided as necessary to support the ultimate design of the NTC redevelopment project. This map requires City Council approval because the land is City owned.

FISCAL IMPACT:

None.

Loveland/Haase/GRB

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A190-201.)

MOTION BY WEAR TO CONTINUE TO MONDAY, FEBRUARY 25, 2002 AT THE
REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Peters.
Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea,
Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-104: Opportunity Acquisition - Sutherland Reservoir Watershed.

(San Diego County/Witch Creek Community Area)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-821) ADOPTED AS RESOLUTION R-295903

Authorizing the City Manager to enter into a Memorandum of Understanding concerning the terms of the transfer of 60.66 acres from the State Coastal Conservancy to be included in the Sutherland Dam Watershed area, and to open an escrow for the acceptance of a Quitclaim Deed executed by the State Coastal Conservancy conveying to the City of San Diego a portion of the Southwest Quarter of Section 22, Township 12 South, Range 2 East, San Bernardino Meridian, in the County of San Diego.

CITY MANAGER SUPPORTING INFORMATION:

By Resolution Number R-288159, approved December 9, 1996, the City Council authorized the expenditure of \$10,000 for the acquisition of 60.66 acres by Grant Deed from the State Coastal Conservancy for lands to be included within the Sutherland Dam Watershed area.

As a result of the procedure for processing excess land from the U.S. government through the State, to the City of San Diego, it was determined that the California Coastal Conservancy can only issue a Quitclaim Deed to the City and not a Grant Deed. The proposed Memorandum of Understanding addresses the process by which the property will be transferred from the United States of America (U.S. Marshal's Service) to the State of California to the City of San Diego. It further identifies the restrictive uses for the property for reservoir water shed and recreational uses consistent with the San Dieguito River Watershed Enhancement Plan. It further identifies the conservation easement being reserved over the property by the State.

FISCAL IMPACT:

Funds in the amount of \$10,000 are available in Water Utility Fund 41500.

Herring/Griffith/BLM

FILE LOCATION: DEED F-9135

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-105: General Utility Easement Abandonment.

(Tierrasanta Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-791) ADOPTED AS RESOLUTION R-295904

Vacating the general utility easement in Lot 9 of Map 3056, as more particularly described in the legal description marked as Exhibit A and as shown on Drawing No. 19523-B marked as Exhibit B.

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to abandon a general utility easement in Lot 9 of Map 3056. This property is located in the Tierrasanta Planning area within Council District 7. This easement is on private property and the only purpose for this public service easement is to allow the City and franchise utilities to construct and maintain facilities within the easement. There are no existing or planned utility and improvements within the easement area. No rights are granted to the public by the easement and the abandonment of this easement will relieve the City of the responsibility to maintain the vacated area. The applicant wants to maintain and landscape the proposed vacated area. This easement was acquired at no cost to the City.

City staff recommends approval of the easement abandonment.

Loveland/Haase/AEA

FILE LOCATION: DEED F-9136

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-106: Drainage Easement Abandonment.

(Sabre Springs Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-718) ADOPTED AS RESOLUTION R-295905

Vacating the drainage easement in Lots 17, 18 and 20 of Map 12911, as more particularly described in the legal description marked as Exhibit "A" and as shown on Drawing No. 19544-B marked as Exhibit "B."

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to abandon a drainage easement in lots 17, 18 and 20 of Map 12911. This property is located in the Sabre Springs Planning area within Council District 5. The applicant has submitted a grading and building permit for the property, and the new design of the building makes this easement unnecessary. This easement is on private property and the only purpose for this public service easement is to allow the City staff to construct and maintain facilities within the easement and no rights are granted to the public by this easement. There are no improvements within the proposed easement area. This easement was acquired at no cost to the City.

City staff recommends approval of the easement abandonment.

Loveland/Haase/AEA

FILE LOCATION: DEED F-9137

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-107: Sale of City Property - NEC Scripps Poway Parkway/Freeway 15.

(Scripps Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-801) ADOPTED AS RESOLUTION R-295906

Authorizing the sale of a portion of real property owned by the City to Shea Homes for the amount of \$240,000;

Authorizing the City Manager to execute a quitclaim deed granting to Shea Homes a portion of Section 20, Township 14 South, Range 2 West, San Bernardino Meridian;

Authorizing and directing the City Clerk to deliver the quitclaim deed and a certified copy of this resolution, attested by him under seal, to the Real Estate Assets Department for further handling.

CITY MANAGER SUPPORTING INFORMATION:

The City acquired a surplus parcel through a state relinquishment at the northeast corner of Freeway 15 and Scripps Poway Parkway. The parcel is improved with a paved road which provides access to the Open Space area to the North. Shea Homes is developing the area to the east of the City parcel, and has filled and sloped the subject parcel to support a level pad necessary to build a hotel. The parcel in question is not independently developable, as is, due to its irregular, elongated shape and steep slope. The adjacent Shea Homes development, however, if allowed to incorporate the subject parcel, will raise its value from nominal to \$240,000 by virtue of its contribution to the new development. The City's access road will not be affected by the sale. Shea Homes executed a Right of Entry Permit in May 2000 to allow grading to proceed on the development, and as a term of the Permit, agreed to purchase the portion of City land affected by the grading for \$240,000 cash. This purchase is part of the Settlement Agreement entered into between the City and Shea Homes dated July 24, 2001. Shea's purchase of this parcel will offset the City's purchase of another parcel (purchase price \$1,200,000), decreasing the City's cash outlay to \$960,000 for the acquisition of the other parcel. The City and Shea Homes will exchange deeds. The parcel to be purchased by Shea homes contains 0.5944 acre, or 25,892 square feet. The fair market value of the sale parcel is \$240,000, as determined by the City Valuation Staff.

FISCAL IMPACT:

This is a companion item to the 1472 regarding the Shea Homes Settlement and Release Agreement, Shea Homes Partners vs. City of San Diego et. al. (GIC 767172), and will result in a \$240,000 offset.

Herring/Griffith/ACG

FILE LOCATION: DEED F-9138

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-108: Scripps Gateway Park Site Acquisition.

(Scripps Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-800) ADOPTED AS RESOLUTION R-295907

Approving the expenditure of an amount not to exceed \$1,000,000 from the Village and Country Settlement Fund No. 10604 for the acquisition from Shea Homes of property rights and related costs for a 4.467-acre graded site for future public recreational use (Lot 11 of Map 14063), said purchase being a part of the Settlement Agreement entered into by and with the City and Shea Homes dated July 24, 2001;

Authorizing the Auditor and Comptroller to amend the Fiscal Year 2002 Capital Improvements Program Budget by adding CIP-29-504.0, Scripps Gateway Park, in the amount of \$1,000,000 from the Village and Country Settlement Fund No. 10604;

Approving the appropriation and expenditure of an amount not to exceed \$1,000,000 from the Village and Country Settlement Fund No. 10604 from CIP-29-504.0, Scripps Gateway Park;

Authorizing and directing the City Clerk to deliver all documents and a certified copy of this resolution to the Real Estate Assets Department for further handling.

CITY MANAGER SUPPORTING INFORMATION:

On July 24, 2001, the Mayor and City Council authorized a Settlement Agreement between the City and Shea Homes. The Settlement Agreement authorized the City to purchase a 4.467 acre graded site from Shea Homes for future public recreational use. This action will authorize the expenditure of \$1 million dollars to consummate the acquisition. An additional \$40,000 is required to cover title, escrow and any miscellaneous closing costs. The original selling price established by Shea for this site was \$1,200,000. As a result of Shea purchasing a City owned parcel for \$240,000, as authorized in the Settlement Agreement, the City's actual cash outlay for the 4.467 acre site has been reduced from \$1,200,000 to \$960,000.

FISCAL IMPACT:

Funds in the amount of \$1,000,000 are available from the Village and Country Settlement Fund No. 10604.

Herring/Griffith/BLM

Aud. Cert. 2200548.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B082-096.)

MOTION BY MAIENSCHIN TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-109: San Ysidro Fire Station No. 29 Relocation.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-861) ADOPTED AS RESOLUTION R-295908

Authorizing the transfer of \$505,000 from CIP-36-063.0, Fund 30244, Central Police Garage Relocation, to CIP-33-103.0, Fire Station No. 29 San Ysidro;

Authorizing the expenditure from CIP-33-103.0 of an amount not to exceed \$1,105,000 for the acquisition of property rights, including labor, appraisal, relocation, title, escrow and miscellaneous costs of acquiring 198 West San Ysidro Boulevard, described as Parcel 1 of Parcel Map 14286, in connection with the San Ysidro Fire Station No. 29 Relocation;

Authorizing the transfer of \$234,575 from CIP-33-098.0, Fund 30244, Fire Station Major Component Replacement and Rehabilitation, to CIP-33-103.0, Fire Station No. 29 San Ysidro for consultant agreement with CCBG Architects, Inc.;

Authorizing the Auditor and Comptroller, upon advice from the administering department to transfer excess budgeted funds, if any, to the appropriate reserve funds.

CITY MANAGER SUPPORTING INFORMATION:

The acquisition of the 63,293 square foot site located at 198 West San Ysidro Boulevard will provide for reconstruction of the existing Fire Station No. 29 located at 179 West San Ysidro Boulevard to the new location. The existing 4,250 square foot facility is 36 years old and is too small to house the necessary equipment for the district, as well as the ten personnel living in quarters designed for eight. The new station will provide the necessary room for improved vehicle response coverage to handle fire and medical emergencies. The City will be entering into an agreement with CCBG Architect, Inc. to provide professional services for the design and construction of Fire Station No. 29 improvements at the new site.

FISCAL IMPACT:

Of the total of \$1,339,575, \$600,000 is budgeted in CIP-33-103.0 for the purpose of land acquisition for Fire Station No. 29. The remaining funds will be transferred from CIP-36-063.0, Central Police Garage Relocation (\$505,000) and CIP-33-098.0, Fire Station Major Component Replacement and Rehabilitation (\$234,575). Both of these funds will be reimbursed with bond proceeds once permanent financing for the Fire Station Facility Improvement Project is obtained.

Herring/Griffith/RAG

Aud. Cert. 2200622.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-110: Transfer of Community Development Block Grant Funds.

(Districts-3 and 4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-786) ADOPTED AS RESOLUTION R-295909

Authorizing the Auditor and Comptroller to reprogram \$53,822.16 of Community Development Block Grant funds from the San Diego Historical Society (Fund No. 18536) to CIP-29-479.0, Martin Luther King Jr. Senior Center;

Authorizing the City Auditor and Comptroller to transfer \$54,000 of Capital Outlay funds from CIP-29-479.0, Martin Luther King Jr. Senior Center (Fund

302453), to the San Diego Historical Society (Fund No. 18536) for completion of the Villa Montezuma project;

Authorizing the City Auditor and Comptroller to amend the Fiscal Year 2002 Capital Improvements Program Budget to reduce the CIP-29-479.0, Martin Luther King Jr. Senior Center, by \$177.84.

CITY MANAGER SUPPORTING INFORMATION:

In FY2001, \$54,000 in CDBG funds were awarded by Council Districts One (\$10,000), Two (\$15,000), Six (\$4,000) and Eight (\$25,000), to the San Diego Historical Society for the exterior painting of the Villa Montezuma historical site. Upon initiating discussions with the Society it was determined that the project was in progress and that procurement process for the contract did not comply with the Federal regulations governing the Community Development Block Grant (CDBG) Program.

In an effort to continue this worthwhile project in a CDBG eligible community, a transfer of the CDBG funds to the Martin Luther King, Jr. Senior Center project is proposed. The Senior Center project also received CDBG funding in FY2001 and has funding from the Capital Outlay fund. The Capital Outlay funding can be used to complete the Villa Montezuma Project and since the Senior Center currently has CDBG funding it will not impact the project.

FISCAL IMPACT:

Funds are available in the CDBG Program and the Capital Outlay fund.

Loveland/McLatchy/EL

Aud. Cert. 2200608.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-111: South San Diego Pipeline No. 2 - Reach A and B - Supplemental Funding.

(South San Diego Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-788) ADOPTED AS RESOLUTION R-295910

Authorizing the transfer of \$200,000 from Water Fund 41500, CIP-73-248.0, Pomerado Pipeline No. 2, to Water Fund 41500, CIP-73-249.0, South San Diego Pipeline No. 2;

Authorizing the appropriation and expenditure of an amount not to exceed \$200,000 in additional funding to supplement the original \$400,000 authorized by Council Resolution R-294754, adopted on April 16, 2001.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego City Council approved expenditures of up to \$400,000 from Water Fund 41500, CIP-73-249.0 for acquisition of property rights for the South San Diego Pipeline No. 2, Reach A and B on April 16, 2001. On July 31, 2001, the San Diego City Council authorized an eminent domain action with an Order of Immediate Possession to acquire property needed for the South San Diego Pipeline No. 2 - Reach A and B.

Staff has negotiated settlements with three of the property owners, and obtained court ordered possession of the other two properties. In the process of negotiating with the remaining two property owners and subsequent to prior Council actions, increased land values, legal fees and project costs have resulted in the request to increase funding for the project. Staff recommends approval of the additional funding to complete property acquisition for the project.

FISCAL IMPACT:

\$200,000 in additional funds are available in Water Revenue Fund 41500, CIP-73-248.0, Pomerado Pipeline No. 2, and will be transferred to Water Fund 41500, CIP-73-249.0, South San Diego Pipeline No. 2, by this action.

Herring/Griffith/MFW

Aud. Cert. 2200611.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-112: Carson Elementary School - Funding of General Development Plan for Joint Use Improvements.

(Linda Vista Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-739) ADOPTED AS RESOLUTION R-295911

Authorizing the Auditor and Comptroller to amend the Fiscal Year 2002 Capital Improvement Program Budget to add CIP-29-514.0, Carson Elementary School - Joint Use Improvements, in the amount of \$35,000;

Authorizing the City Manager to expend \$35,000 for CIP-29-514.0 for a General Development Plan for joint use fields at Carson Elementary School from Fund No. 79503, Linda Vista Development Fees.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide for the turfing of approximately 1.6 acres of existing decomposed granite fields to meet the athletic and recreation needs of Carson Elementary School and the Community of Linda Vista, a community deficient in park land per General Plan Standards. This proposed facility will be developed and maintained through a twenty-five (25) year lease and joint use agreement with the San Diego Unified School District.

The General Development Plan (GDP) for Carson Elementary School joint use area will be prepared with input from the community, and the final GDP will undergo the Park and Recreation Department approval process. Initial funding will be used to enter into a consultant agreement to prepare the GDP.

FISCAL IMPACT:

The estimated total cost for this project is \$421,256. Funds in the amount of \$35,000 are available in Linda Vista Development Impact Fees, Fund No. 79503, for use on CIP-29-514.0, Carson Elementary School - Joint Use Improvement.

MAINTENANCE IMPACT:

Annual maintenance costs are estimated to be \$13,600.

Loveland/McLatchy/DVW

Aud. Cert. 2200621.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-113: Establish Two (2) Hour Unmetered Parking Zone on Columbia Street between Date Street and Fir Street.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-737) ADOPTED AS RESOLUTION R-295912

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of Columbia Street, between Date and Fir Street, and on the east side of Columbia Street, between Fir Street and a point of 165 feet south of Fir Street;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes two (2) hour parking from 8:00 a.m. to 6:00 p.m., except Sundays and holidays, on the west side of Columbia Street, between Date Street and Fir Street; and on the east side of Columbia Street, between Fir Street and a point 165 feet south of Fir Street.

The following fronting properties have signed a petition for this action:

1. The Reader Publication at 1703 India Street, whose parking lot fronts on Columbia Street.
2. Filippi's Pizza Grotto at 1747 India Street, whose parking lot fronts on Columbia Street.
3. 1830 Columbia Street.
4. 1840 Columbia Street.
5. 1835 Columbia Street.

The fronting properties at 1746, 1760, 1762, 1764, and 1824 are not affected by this action and have not signed the petition.

The Little Italy Association of San Diego is in favor of this action.

FISCAL IMPACT:

Funds for the installation of signs are budgeted within the Transportation Department, Street Division's operating fund.

Gonzalez/Holden/PF

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-114: Approval of Banner Placement by the University City Community Association.

(University City Community Area. District-1.)

COUNCILMEMBER PETERS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-822) ADOPTED AS RESOLUTION R-295913

Declaring that in accordance with San Diego Municipal Code Section 142.1210, banners may be installed on the following streets in University City: Governor Drive, Genesee Avenue and Regents Road;

Declaring that the University City Community Association shall maintain the banners and all associated equipment within the right-of-way, and shall secure all necessary approvals from the City of San Diego prior to the installations of banners.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

- * ITEM-115: One-Year Extension of the Centre City Project Area Committee (PAC).

(See CCDC Report dated 12/12/2001. Centre City Redevelopment Project Area.
District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-864) ADOPTED AS RESOLUTION R-295914

Authorizing the extension of the Centre City Project Area Committee for one
year.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the
following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-
yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

- * ITEM-116: Appointment to the Agricultural Board.

(See memorandum from Mayor Murphy dated 12/21/2001 with resume attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-884) ADOPTED AS RESOLUTION R-295915

Council confirmation of the appointment by the Mayor of Paul Peterson to serve
as a member of the Agricultural Board, for a term ending October 1, 2003,
representing the Attorney category, to replace Leo R.B. Henrikson, whose term
has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-117: Appointments to the Balboa Park Committee.

(See memorandum from Mayor Murphy dated 12/20/2001.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-882) ADOPTED AS RESOLUTION R-295916

Council confirmation of the following appointments by the Mayor to serve as members of the Balboa Park Committee, for terms ending as indicated:

<u>NAME</u>	<u>TERM ENDING</u>	<u>NOMINATED BY</u>
Dan Mazzella	March 1, 2004	Mayor Murphy
Darlene Gould Davies	March 1, 2004	Mayor Murphy
Michael Stepner	March 1, 2004	Councilmember Atkins
Jeffery Tom	March 1, 2004	Councilmember Atkins
Rear Admiral Eustine Paul Rucci	March 1, 2005	Councilmember Atkins
Warren Simon	March 1, 2005	Uptown Planning Group
Vicki Granowitz	March 1, 2005	Greater North Park Planning Group
Laurie Burgett	March 1, 2005	Golden Hill Planning Group
Joe Silverman	March 1, 2005	Balboa Park/Morley Field Rec Council
Jeffrey Kirsch	March 1, 2005	Balboa Park Association (Large Institutions)
Nancy Rodriguez	March 1, 2005	Balboa Park Association (Small/Mid-sized Inst.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B081.)

MOTION BY ATKINS TO ADOPT. Second by Wear. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,
Inzunza-yea, Mayor Murphy-yea.

* ITEM-118: Hazardous Materials Emergency Response Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-758) ADOPTED AS RESOLUTION R-295917

Authorizing the City Manager to execute Amendment No. 4 to the Agreement, dated August 29, 2001, with the Unified San Diego County Emergency Services Organization, to continue the San Diego Fire and Life Safety Services participation in the Hazardous Materials Incident Response Team, from July 1, 2001 through June 30, 2003.

CITY MANAGER SUPPORTING INFORMATION:

The Hazardous Materials Incident Response Team (HIRT) was established by the Unified San Diego County Emergency Services Organization. San Diego Fire and Life Safety Services participates in this program by providing member agencies with the services of its Hazardous Materials Team in response to incidents involving hazardous materials. An agreement between the City and the Unified San Diego County Emergency Services Organization was signed in June 1993, and amended in 1995, 1997 and 1999. The proposed amendment extends the contract to June 30, 2003 and adjusts the annual payment to the City at \$483,918. These payments are sufficient to cover costs incurred in providing these services.

FISCAL IMPACT:

The Unified San Diego County Emergency Services Organization will provide the City of San Diego with annual payments of \$483,918 to be invoiced in quarterly increments.

Ewell/Osby/FCW

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

- * ITEM-119: Two actions related to Agreement with Little Italy Association for Administration of Maintenance Services for Little Italy Maintenance Assessment District.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2002-846) ADOPTED AS RESOLUTION R-295918

Authorizing the City Manager to execute an agreement with Little Italy Association, for administration of Contracts for Goods and Contracts for Service for the Little Italy Maintenance Agreement for a period of one year in accordance with San Diego Municipal Code Section 65.0212.

Subitem-B: (R-2002-847) ADOPTED AS RESOLUTION R-295919

Authorizing the expenditure of an amount not to exceed \$41,100 from Fund 70261 for providing funds for administration services with Little Italy Association beginning January 2, 2002 through December 31, 2002.

CITY MANAGER SUPPORTING INFORMATION:

The Maintenance Assessment District Ordinance, San Diego Municipal Code Section 65.0212 paragraph (b) (2), authorizes the City Council to approve a 1-year agreement with non-profit corporations to administer the Contracts for Goods and Contracts for Services in Maintenance Assessment Districts, if the required percentage of property owners have requested it.

On August 7, 2000, the property owners in the Little Italy Maintenance Assessment District (District) requested their contracts to be administered by the "Little Italy Association" (Association). The Association has managed the contracts satisfactorily since the District was formed, and wishes to continue. The current agreement with the Association is from January 1, 2001 through December 31, 2001.

This action will authorize the City Manager to sign and continue the Agreement between the City and the Association for a period of one year beginning on January 1, 2002 and ending on December 31, 2002.

- 1 The Association will administer Contracts for Goods and Contracts for Service and prepare financial statements for the District as provided for in the Maintenance Assessment District Ordinance, Landscape and Lighting Act of 1972, and as set forth in the Engineer's Report for the Little Italy Maintenance Assessment District.
2. The Association will perform all duties as set forth in the Agreement under Article I, Section B, referred to as specific requirements. The Association will be reimbursed for these services within fifteen (15) working days from the receipt of properly prepared reimbursement requests.
3. The Association will be compensated for administration in an amount not to exceed 15% of the adopted FY02 budget. The maximum compensation amount is currently \$41,100 (or \$3,425 per month) over the period of the Agreement.

FISCAL IMPACT:

Funds are available in the Little Italy Maintenance Assessment District (Fund 70261) to reimburse the Association for maintenance services and to compensate it for administration.

Herring/McLatchy/SY

Aud. Cert. 2200655

FILE LOCATION: SUBITEMS A & B: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

- * ITEM-120 Two actions related to North City Reclamation System, Western Pacific Housing Reclaimed Water Pipelines Participation Agreement.

(Torrey Highlands Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2002-776) ADOPTED AS RESOLUTION R-295920

Authorizing the City Manager to execute a participation agreement with Western Pacific Housing, for the construction of reclaimed water pipelines in Subarea IV of the North City Future Urbanized Area (NCFUA);

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,039,697 from Water Fund 41500, CIP-73-248.0, Pomerado Pipeline No. 2 and an amount not to exceed \$79,139 from Water Fund 41500, CIP-73-236.0, Bayview Reservoir Replacement, to Water Fund 41500, CIP-70-954.0, North City Reclamation System;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$1,118,836 from CIP-70-954.0, North City Reclamation System, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2002-799) ADOPTED AS RESOLUTION R-295921

Declaring that Mitigated Negative Declaration LDR-40-0386, previously certified by Resolution R-294537, adopted on February 12, 2001, has been reviewed and considered by Council, and that it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline section 15162 would warrant any additional environmental review in connection with the approval of construction of reclaimed water pipelines in Subarea IV of the North City Future Urbanized Area.

CITY MANAGER SUPPORTING INFORMATION:

On July 24, 1989 the Water Reclamation Ordinance was adopted into the San Diego Municipal Code (Chapter 6, Article 4, Division 8). This ordinance requires City staff to prepare and adopt a master plan to define, encourage and develop the use of reclaimed water.

As part of the Water Department's Water Resources planning effort, an Updated Reclaimed Water Master Plan was completed in December 2000. The Master Plan recommended construction of reclaimed water pipelines and facilities to serve the Future Urbanized Area (FUA) including Subarea IV, Torrey Highlands. The Master Plan also recommended that reclaimed water pipelines be installed concurrent with road development, to save money and lessen traffic impacts.

Western Pacific Housing (WPH) is the lead developer in Torrey Highlands for the construction of Camino Ruiz. Road construction has already begun. In October 2001, the City entered into an agreement to design the reclaimed water facilities in Camino Ruiz and Torrey Santa Fe Road, both within Subarea IV. This request is for WPH to provide construction related services to install approximately 8,370 linear feet of 12" reclaimed pipeline in Camino Ruiz between Carmel Valley Road and Torrey Santa Fe Road, and approximately 3,197 linear feet of 24" reclaimed pipeline in Torrey Santa Fe Road between Camino Ruiz and Street "B". This work shall be performed by WPH hired construction contractors who are already working on the job site, and the job should be substantially completed by September 30, 2002.

Performing the construction work in this manner saves the City money. The contract value is 19% less than the planning study estimate due to pipeline construction occurring before the road is paved. This also eliminates traffic impacts if pipelines were installed after the road was completed and opened. This pipeline will serve Subarea III and IV of the FUA, and help the City meet the North City Reclaimed Water Plant EPA construction grant goal.

FISCAL IMPACT:

The total amount of this request is \$1,118,836. Funding will be transferred from CIP-73-248.0, Pomerado Pipeline No. 2, and CIP-73-236.0, Bayview Reservoir Replacement, and will be available in Water Fund 41500, CIP-70-954.0, North City Reclamation System.

Mendes/Gardner/PG

Aud. Cert. 2200619.

FILE LOCATION: SUBITEMS A & B: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-121: Lease Amendment - U.S. Department of Justice (INS) at San Ysidro.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-820) ADOPTED AS RESOLUTION R-295922

Authorizing the City Manager to execute the First Amendment to Lease with the Immigration and Naturalization Service (INS). The amendment provides new rent delinquency language which is required in all Federal contracts. The amendment also provides for the allowance of additional equipment to be installed on the leasehold which will allow the INS to better perform their mission along the international border and in the San Ysidro area.

CITY MANAGER SUPPORTING INFORMATION:

The Department of Justice's Immigration and Naturalization Service's (INS) lease with the City contains rent delinquency language that is not consistent with the computer generated Prompt Payment System used by the Federal Government for payment of rent. If a payment is delinquent, the Prompt Payment System automatically includes a late fee as determined by the Federal Government. Federal Government contracts must contain this language. The INS also wishes to add additional equipment to better perform their mission along the international border and in the San Ysidro area. All other terms and conditions of the original lease agreement remain unchanged. Council approval of these changes will modify the Delinquent Rent lease section and Exhibit "B"- Equipment List.

Basic terms of the original agreement are as follows:

USE: To construct, maintain, repair, alter and operate radio transmitting and receiving equipment.

TERM: Five (5) years, terminating 7/31/2003.

GROUND RENT: Current rent is \$5,002.27 annually. This will increase to \$9,262.27 (8/1/2001 to 7/31/2002) with annual 6% rent increases. This value is consistent with an outside independent fee appraisal dated August 2000.

FISCAL IMPACT:

The City will receive an additional \$4,260 per year for a total annual rent of \$9,262.27 (8/1/2001 to 7/31/2002) to be deposited in General Fund 100.

Herring/Griffith/JPA

FILE LOCATION: LEAS - US Department of Justice, Immigration and Naturalization Services - San Ysidro View Park Communication Site

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-122: Declaring a Continued Local Health Emergency Due to the Spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV).

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-848) ADOPTED AS RESOLUTION R-295923

Declaring a Continued Local Health Emergency due to the spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV).

FILE LOCATION: GEN'L - Local Health Emergency Due to the Spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV)

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-nay, Maienschein-nay, Frye-yea, Madaffer-nay, Inzunza-yea, Mayor Murphy-nay.

* ITEM-123: Declaring a Continued State of Emergency Due to Economic Circumstances in the San Diego-Tijuana Border Region.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-819) ADOPTED AS RESOLUTION R-295924

Declaring a Continued State of Emergency due to economic circumstances in the San Diego-Tijuana border region.

FILE LOCATION: GEN'L - State of Emergency Due to Economic Circumstances in the San Diego-Tijuana Border Region

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-124: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-818) ADOPTED AS RESOLUTION R-295925

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B099-323.)

MOTION BY INZUNZA TO ADOPT WITH DIRECTION TO DOCKET THE BAJAGUA PROPOSAL FOR THE COUNCIL MEETING OF JANUARY 22, 2002. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-200: San Diego River Restoration Project Clean Beaches Initiative Grant.

(Mission Valley and Navajo Community Areas. Districts-6 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-793) ADOPTED AS RESOLUTION R-295926

Authorizing the City Manager to approve the grant application to the State Water Resource Control Board Clean Beaches, Proposition 13, Coastal Nonpoint Source Program for the San Diego River Restoration/Ocean Beach Water Quality Improvement Project;

Authorizing the City Manager to take all necessary actions to secure funding;

Authorizing the City Manager to conduct all negotiations, execute and submit all documents including but not limited to applications, amendments, payment requests, which may be necessary for the completion of the project;

Authorizing the City Manager to accept and expend monies if grants are awarded;

Authorizing the City Auditor and Comptroller to establish an interest bearing account for this project.

CITY MANAGER SUPPORTING INFORMATION:

In July 2001, the City of San Diego was designated to receive \$1.5 million for Ocean Beach water quality projects as part of the Governor's Clean Beaches Initiative. Accordingly, the City intends to implement the San Diego River Restoration Project with \$1.5 million in State grant funding. The project is supported by the Mayor's Clean Water Task Force and will support the Mayor's goal to reduce beach closure and posting days by 50% by 2004. In combination with a Supplemental Environmental Project (SEP) initiated as a result of the February 2000 Adobe Falls sewage spill, which will include the preparation of a river restoration plan and implementation of two pilot revegetation projects, this project will provide exotics removal and riparian habitat restoration, which will improve biofiltration of the San Diego River water prior to discharging into the Pacific Ocean at Ocean Beach. Restoration of riparian habitat similar to the restoration that will occur with this project has been shown to decrease sediment loads, water temperature, salinity, pH, nutrients and toxics, and increase dissolved oxygen. Habitat restoration will include exotic species removal and/or native riparian species revegetation. By removing dense stands of exotic species and revegetating the river with native riparian species, the effective width of the river will be widened and the depth reduced, thereby slowing flows, allowing for greater sediment dropout (to which bacteria attaches itself), UV treatment of the water, and natural soil and plant filtration. The City needs to submit a formal request to the State Water Resources Control Board for a grant contract under the Clean Beaches, Proposition 13, Coastal Nonpoint Source Program, which includes an adopted resolution authorizing the request.

FISCAL IMPACT:

No fiscal impact would be associated with approving the grant application. When the grant contract is approved, a total of \$1.5 million would be received from the State Water Resources Control Board for implementing this project. The City of San Diego will meet the grant's 20% funding match requirement with funding from the SEP project initiated by the Metropolitan Wastewater Department through the Sewer Revenue Fund (Fund No. 41506).

Loveland/Anderson/AK

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B324-393.)

MOTION BY PETERS TO ADOPT. Second by Wear. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,
Inzunza-yea, Mayor Murphy-yea.

ITEM-201: Clean Beaches Initiative Grant for Rose & Tecolote Creeks Water Quality
Improvements.

(University City, Clairemont Mesa, Linda Vista and Pacific Beach Community
Areas. Districts-1, 2, 6, and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-816) ADOPTED AS RESOLUTION R-295927

Authorizing the City Manager to approve the grant application to the State Water
Resources Control Board Clean Beaches Initiative, Proposition 13, Coastal
Nonpoint Source Program;

Authorizing the City Manager to take all necessary actions to secure funding;

Authorizing the City Manager to conduct all negotiations, execute and submit all
documents, including but not limited to applications, amendments, and payment
request, which may be necessary for the completion of the project;

Authorizing the City Manager to accept, appropriate and expend monies if the
grant is secured;

Authorizing the City Auditor and Comptroller to establish an interest bearing
account.

CITY MANAGER SUPPORTING INFORMATION:

In July 2001, the City of San Diego was designated to receive \$1.7 million for Rose & Tecolote Creeks water quality projects as part of the Governor's Clean Beaches Initiative. Accordingly, the City intends to implement the Rose and Tecolote Creeks Water Quality Improvement Project with \$1.7 million in State grant funding. The project is supported by the Mayor's Clean Water Task Force and will support the Mayor's goal to reduce beach closure and posting days by 50% by 2004. The proposed project(CIP-32-050.0) has been initiated with a \$2,000,000 grant received from the State for water quality improvements within the Rose and Tecolote Creeks watersheds. The project will be phased and will include services to provide Planning, Water Quality Monitoring, Preliminary Engineering, Design and Environmental Permitting to implement Storm Water Best Management Practices (BMP's) or structural controls (e.g., vegetated swales and strips, infiltration basins, wet ponds, constructed wetlands, filtration systems) that will address pollutants of concern within Rose and Tecolote Creeks watersheds. Selected Storm Water BMP's will be designed and constructed based on direction from the Natural Resources and Culture Committee in the future. The portion(s) of the Rose and Tecolote Creeks Water Quality Improvements Project that will be funded from this grant (\$1,700,000) must be completed by June 2004. To obtain the funds which have been designated for the City of San Diego, the City must submit a formal request to the State Water Resources Control Board for a grant contract under the Clean Beaches Initiative, Proposition 13, Coastal Nonpoint Source Program, which includes an adopted resolution authorizing the request. The \$1,700,000 will be added to the \$2,000,000 already received from the State to expand on the Storm Water BMPs that will be designed and constructed to improve water quality in Rose Creek, Tecolote Creek and ultimately Mission Bay.

FISCAL IMPACT:

No fiscal impact would be associated with approving the grant application. When the grant contract is approved, a total of \$1.7 million would be received from the State Water Resources Control Board for implementing this project. The City of San Diego will meet the grant's 20% funding match requirement with the \$2,000,000 grant received in February 2001 by the State Legislature through the State Water Resources Control Board.

Loveland/Anderson/MG

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B394-473.)

MOTION BY PETERS TO ADOPT. Second by Wear. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,
Inzunza-yea, Mayor Murphy-yea.

ITEM-202: Findings for Construction of Certain Improvements at Market Street/Fifth Avenue
Intersection.

(Continued from the meeting of 12/3/2001, Item 201, at the request of the City
Manager, to resolve issues with coordination and with the traffic lights and
pop-outs.)

(See memorandum from CCDC dated 10/26/2001. Gaslamp Sub Area of the
Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-658) ADOPTED AS RESOLUTION R-295928

Making certain findings with respect to public improvements at the Market
Street/Fifth Avenue Intersection in the Gaslamp Quarter Sub Area in the Centre
City Redevelopment Project Area.

NOTE: See the Redevelopment Agency Agenda of January 8, 2002 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B476-C043.)

MOTION BY WEAR TO ADOPT. Second by Atkins. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,
Inzunza-yea, Mayor Murphy-yea.

ITEM-203: Feasibility Study for the Bay to Bay Link - Consultant Agreement.

(Midway-Pacific Highway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-813) ADOPTED AS RESOLUTION R-295929

Making certain findings with respect to the feasibility study for the Bay to Bay Link.

NOTE: See the Redevelopment Agency Agenda of January 8, 2002 for a companion item.

CITY MANAGER SUPPORTING INFORMATION:

On April 3, 2001, by Resolution R-03315, the Redevelopment Agency of the City of San Diego authorized the Engineering and Capital Projects Department to issue a Request of Qualifications for consultants to study the engineering, technical, environmental, cost, and land acquisition concerns associated with the proposed Bay to Bay Link, and to include other options in addition to the proposed canal for a cost not to exceed \$250,000.

The consultant scope of work includes a detailed evaluation of concept alternatives, including cost to benefit ratios for the following alternatives:

4. Navigable channel/open space system as envisioned by the 1995 Study Report.
2. Park/open space system; and
3. Minimum improvement

The City advertised in the San Diego Daily Transcript for the subject consulting services, and six (6) consultants submitted their letters of qualifications for consideration. City staff interviewed the six (6) consultants in conformance with Council Policy 300-7. Wallace Roberts & Todd, LLC, was selected as the best qualified firm to provide the feasibility study for the Bay to Bay Link. The sub-consultants are Moffat & Nichol - Waterfront Engineering at 11 %; Ninyo & Moore (MBE) - Geotechnical at 9%; Katz, Okitsu & Associates (MBE) - Traffic Engineering and Transportation Planning at 8%; Professional Consulting Group(WBE) - Dry Utility System Design and Engineering - at 7%; Helix Environmental - Environmental Planning at 14%; and Economics Research Associates - Economic Analysis at 16%. The MBE and WBE participation are at about 17% and 7%, respectively.

FISCAL IMPACT:

Funds in the amount of \$250,000 are available for this study in Fund 98070, North Bay Redevelopment.

Loveland/Belock/PB

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C049-500.)

MOTION BY WEAR TO ADOPT WITH THE FOLLOWING DIRECTIONS AS REQUESTED BY COUNCIL MEMBER FRYE:

MAKE SURE THE SCOPE OF SERVICES INCLUDE AN ANALYSIS OF THE LEAKING UNDERGROUND STORAGE TANKS INCLUDING ANSWERS TO THE FOLLOWING QUESTIONS:

- 1) WHERE ARE THEY LEAKING TO?
- 2) WHY AREN'T THEY BEING CLEANED UP?
- 3) ARE THEY STILL LEAKING?
- 4) INCLUDE THE GROUND WATER ISSUES IN RELATION TO THESE LEAKING UNDERGROUND TANKS.

UNDER STAKEHOLDER INTERVIEWS, INCLUDE SAN DIEGO BAY COUNCIL.

PAGE 5 UNDER WATER QUALITY, "HELIX WILL IDENTIFY KEY WATER QUALITY ISSUES," MAKE SURE THERE IS SOMETHING IN THERE THAT LOOKS AT THE GROUND WATER ISSUE AS IT RELATES TO THE QUALITY AND IMPACT IF WE DIG A CANAL.

PAGE 6 UNDER SCOPE OF SERVICES UNDER LAND USE AND URBAN DESIGN, LAST SENTENCE ADD, "AND THE SAN DIEGO RIVER."

PAGE 9 UNDER PREPARING HAZARDOUS MATERIALS REPORT, INCLUDE LEAKING UNDERGROUND STORAGE TANK LANGUAGE.

PAGE 9 UNDER WATER QUALITY, MAKE SOME INCLUSION OF THE GROUNDWATER ISSUES.

IN THE ECONOMIC ANALYSIS MAKE SURE THAT THE INDUSTRIAL USERS,
SOME OF THE SMALLER BUSINESSES ARE INCLUDED.

Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea,
Stevens-yea, Maienschein-not present, Frye-yea, Madaffer-yea, Inzunza-nay, Mayor
Murphy-yea.

ITEM-250: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to
file a "Notice of Completion and Acceptance of Subdivision Improvement
Agreement" indicating that the improvements included in the Subdivision
Improvement Agreement have been satisfactorily completed for the following
subdivisions:

SUBDIVISION

Monarch Estates Units No. 9 and 10
Carmel Valley Neighborhood 10 North
Units 13 and 14

COMMUNITY AREA

Mira Mesa Community
Carmel Valley

The certification shall be recorded 15 days after the date this notice appears on the
Council Docket or shortly thereafter. If any person wishes to object to the filing
of this notice, such person should communicate the objection on or before that
date to the Director of Planning and Development Review or to the Subdivision
Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA
92101.

ITEM-251: Settlement of the Personal Injury/Property Damage Claim of JeDa International,
Inc. and Dan Morris.

(R-2002-637) Adopted as Resolution R-295703.

A Resolution approved by the City Council in Closed Session on Tuesday,
November 6, 2002, by the following vote: Peters-yea; Wear-yea; Atkins-yea;
Stevens-yea; Maienschein-yea; Frye-yea; Madaffer-yea; Inzunza-not present;
Mayor-yea.

Authorizing the City Manager to pay the total sum of \$145,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury/property damage to JeDa International, Inc. and Dan Morris (Superior Court Case No. 761323, JeDa International, Inc. and Dan Morris v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$145,000 made payable to JeDa International, Inc. and Dan Morris in full settlement of the lawsuit and all claims.

Aud. Cert. 2200501.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-252: Settlement of the Property Loss and Insurance Replacement Claim of Nations Rent.

(R-2002-631) Adopted as Resolution R-295709.

A Resolution approved by the City Council in Closed Session on Tuesday, November 6, 2001, by the following vote: Peters-yea; Wear-yea; Atkins-yea; Stevens-yea; Maienschein-yea; Frye-yea; Madaffer-yea; Inzunza-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$37,235.42 in the settlement of each and every claim against the City, its agents and employees, resulting from the property loss and resulting insurance replacement to Nations Rent as a result of an incident which occurred on March 20, 2001 (City File No. 01-773-3323);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$37,235.42 made payable to Lexington Insurance Company, subrogee of Nations Rent, in full settlement of all claims.

Aud. Cert. 2200507.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

* ITEM-S500: Revised Assignment for Budget Workgroup.

(See memorandum from Mayor Murphy dated 1/3/2002.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-893) ADOPTED AS RESOLUTION R-295930

Reassigning the Budget Workgroup chaired by Councilmember Maienschein (and including Councilmembers Wear and Frye) from the Police Department to the Water Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-290.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 12:17 p.m. in honor of the memory of Sybil Peterson as requested by Council Member Frye.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C572-607).